

**REMARKS**

Claims 8 and 11-19 are all the claims pending in the application. By this Amendment, Applicant cancels claims 1-7, 9, and 10. In addition, Applicant rewrites claim 8 into its independent form and amends claim 17 for conformity therewith. Claims 18 and 19 are withdrawn from consideration as being drawn to a non-elected invention.

**I. Preliminary Matters**

Applicant thanks the Examiner for returning the initialed Form PTO/SB/08 submitted with the Information Disclosure Statement filed on January 27, 2006.

**II. Summary of the Office Action**

The Examiner withdrew the previous rejections. The Examiner, however, found new grounds for rejecting the claims. Claims 1-17 are rejected under 35 U.S.C. § 103(a).

**III. Prior Art Rejections**

Claims 1-17 are rejected under 37 C.F.R. § 103(a) as being unpatentable over Japanese Patent No. 10143339 to Sato et al. (hereinafter "Sato") in view of a newly found reference, U.S. Patent No. 6,804,018 to Mochizuki et al. (hereinafter "Mochizuki"). Applicant respectfully traverses these grounds for rejection in view of the following comments.

Claims 1-7, 9, and 10 have been canceled. Therefore, this rejection is rendered moot with respect to these claims. With respect to the remaining claims, claims 8, 11, 13, 14, and 16 are independent.

Independent claim 8, among a number of unique features, recites: "a process for outputting printing data included in the file when it is determined that the print spooling file

includes information concerning an instruction of plural sets of printing.” The Examiner alleges that claim 8 relates to a program for reading and outputting data and is obvious in view of the combined disclosure of Sato and Mochizuki (*see* page 4 of the Office Action). Applicant respectfully disagrees.

Sato discloses a network print system which shortens the time needed for printing even when an abnormality occurs in communication between a client and a server (*see* Abstract). In particular, Sato discloses a client 10 that requests printing and a server 20 (§ 24). The client 10 has the printer 14 locally connected with the spool file 11 which saves the divided print data of the specified quantity. The spooler 12 transmits the printing data stream sent by activation program 1 to the reception server 20. The spool file reclosing section 13 supplies the spool file 11 to the spooler 12 of the client 10. The spooler 12 includes the spool file creating section 15, the spool file cutout 16. The spool file creation section 15 creates serially the spool file 11, which accumulates the print data of the specified quantity. The spool file cutout 16 is formed as a print-data deletion means that deletes the spool file once it has been transferred to the server without any errors occurring (§ 25).

Sato, however, only discloses that the print data is accumulated until a predetermined quantity. Sato does not teach or suggest having the information that specifies the print file being stored separately from the print file, as set forth in claim 8. That is, in Sato, there is no separate spooling file that stores information that specifies one file among a number of files that include print data in a unit of a page. Accordingly, Sato does not disclose or suggest outputting the print

AMENDMENT UNDER 37 C.F.R. § 1.116  
U.S. Appln. No. 09/826,308  
Attorney Docket No.: Q63977

data on a page by page basis when it is determined that the print spooling file includes information concerning an instruction of plural sets of printing.

Mochizuki fails to cure the deficient disclosure of Sato. Mochizuki discloses that on a page by page basis, a printer serves to print out in sequence print data transferred from a host connected thereto by way of a network. Every time receiving print data from the host, a link information creation unit of the printer creates and saves link information indicative of correlations between packets of print data received and pages on the printer side. In case a print error such as paper jam has occurred during the print out, a resend request unit recognizes from the link information the number of a packet to which a print page subjected to the print error corresponds, and issues a request for resend (*see* Abstract and col. 2, lines 28 to 62).

That is, Mochizuki only discloses resending data when a print error occurs during printing, on a page by page basis. Mochizuki, however, fails to disclose or suggest outputting data “when it is determined that the print spooling file includes information concerning an instruction of plural sets of printing.” In other words, if, as alleged in the Office Action, link information is the information stored in a separate file (*see* page 3 of the Office Action), then clearly Mochizuki does not disclose or suggest determining whether link information file includes information concerning an instruction of plural sets of printing and based on that determination (*i.e.* when this condition is met) outputting printing data. In short, Mochizuki does not cure the deficient disclosure of Sato.

Therefore, “a process for outputting printing data included in the file when it is determined that the print spooling file includes information concerning an instruction of plural

sets of printing,” as set forth in claim 8 is not disclosed or suggested by the combined disclosure of Sato and Mochizuki, which lack outputting printing data when it is determined that the print spool file includes information concerning an instruction of plural sets of printing. For at least these exemplary reasons, claim 8 is patentable over the combined disclosure of Sato and Mochizuki. Therefore, Applicant respectfully requests the Examiner to withdraw this rejection of claim 8.

Next, independent claim 11, among a number of unique features, recites: “a file recording a command for controlling the printer when it is determined that the print processor can control transfer to the printer in accordance with printing data created by the computer.” In Sato, the print data is the actual data being printed, whereas claim 11 requires a file recording a command for controlling the printer. In short, Sato does not disclose or suggest these unique features of claim 11. Mochizuki does not cure the deficient disclosure of Sato. Mochizuki only discloses link information being stored separately from the print data (Fig. 7 and 8). However, this link information is not a command for controlling the printer. In other words, Mochizuki does not disclose or suggest a file recording a command for controlling the printer. Moreover, Mochizuki does not disclose or suggest storing link information when it is determined that the print processor can control transfer to the printer.

Accordingly, “a file recording a command for controlling the printer when it is determined that the print processor can control transfer to the printer in accordance with printing data created by the computer,” as set forth in claim 11 is not disclosed or suggested by Sato and Mochizuki, which lacks having a file recording a command for controlling the printer and which

lacks storing the command when it is determined that the print processor can control transfer to the printer. Together, the combined disclosure of these references could not have and would not have suggested the unique features of claim 11. Therefore, Applicant respectfully requests the Examiner to withdraw this rejection of claim 11 and its dependent claim 12.

Moreover, dependent claim 12 recites: “said command for controlling the printer includes a cancellation command for stopping printing.” The Examiner acknowledges that Sato does not disclose or suggest the unique features of claim 12. The Examiner, however, alleges that Mochizuki cures the deficient disclosure of Sato. In particular, the Examiner alleges that col. 11, lines 45 to 67 of Mochizuki discloses these unique features of claim 12 (*see* page 4 of the Office Action). Applicant respectfully disagrees.

In the paragraph noted by the Examiner, Mochizuki discloses resending sequence when paper jam occurs. Specifically, Mochizuki discloses that when a jam at a particular page is recognized from the linking information, a request for resend is transmitted from the printer (Figs. 10A and 10B; col. 11, line 47 to col. 12, line 16). However, in Mochizuki, there is no disclosure or suggestion of a command for stopping printing. Moreover, there is no disclosure or suggestion of storing the cancellation command in a separate file as required by the combination of claims 11 and 12. In other words, Mochizuki does not cure the deficient disclosure of Sato. For at least this additional reason, claim 12 is patentable over the combined disclosure of Sato and Mochizuki.

Independent claims 13, 14, and 16 recite features similar to, although not necessarily coextensive with, the features argued above with respect to claim 11. Therefore, arguments

AMENDMENT UNDER 37 C.F.R. § 1.116  
U.S. Appln. No. 09/826,308  
Attorney Docket No.: Q63977

presented with respect to claim 11 are respectfully submitted to apply with equal force here. For at least substantially analogous exemplary reasons, therefore, independent claims 13, 14, and 16 are patentable over the combined disclosure of Sato and Mochizuki.

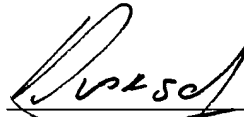
Claims 15 and 17 are patentable at least by virtue of their dependency on claim 8, 11, or 14.

IV. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly invited to contact the undersigned attorney at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

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